



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,326	05/03/2001	Lars-Berno Fredriksson	0260/00072	7125

7590 05/21/2004

Connolly Bove Lodge & Hutz LLP
Suite 800
1990 M Street, N.W.
Washington, DC 20036-3425

EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
----------	--------------

2135

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,326

Applicant(s)

FREDRIKSSON, LARS-BERNO

Examiner

Monplaisir G Hamilton

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-37 and 39-44 is/are pending in the application.
- 4a) Of the above claim(s) 1-28 and 38 are cancelled.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-37, 39-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/101,748
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The communication filed on 2/20/04 cancelled Claims 1-28 and 38, amended Claims 29-37 and 39-40 and added Claims 41-44. Claims 29-37 and 39-44 remain for examination.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/101748, filed on 9/31/1998.

Response to Arguments

3. Applicant's arguments, see Paper No. 7, filed 2/20/04, with respect to the rejection(s) of Claims 28-40 under 35 U.S.C. § 103 (a) as being unpatentable over Heins (US 5,596,437) in view of Dorenbos (US 5,751,813) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Spaur et al (US 5,732,074).

Applicant's arguments, see Paper No. 7, filed 2/20/04, with respect to Claims 28-40 have been fully considered and are persuasive. The Double Patenting and 35 U.S.C § 112 Rejections of Claims 28-40 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 29-37 and 39-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Spaur et al (US 5,732,074).

Referring to Claim 41:

Spaur discloses a testing device in a CAN-system including a plurality of modules connected via a digital serial communication connection, comprising:

a group of first modules connected to said digital serial communication connection at different locations (A) for controlling equipment at each location (A) (col 10, lines 10-65);

a second module connected to said digital serial communication connection at a location (B), spaced from said locations (A), including a radio communication means and means for generating an activation signal in response to a received message for signaling one of said first modules over said digital serial connection (Fig. 1; col 6, lines 10-20; col 7, lines 40-60); and

a portable control unit having a radio communication means for establishing a radio communication link with said second module (col 6, lines 10-20), and for generating commands for activating said equipment at each of said locations (A), said commands being transferred via

Art Unit: 2135

said communication link to said second module which forwards said commands via said serial communication connection to said first group of modules permitting the response to said commands to be observed at each of said locations (A) (col 9, lines 1-30; col 9, line 60-col 10, line 10).

Referring to Claim 42:

Spaur discloses a testing device in a CAN-system having a plurality of modules connected by a digital serial communication connection comprising:

a first group of module means connected to said digital serial communication connection at a first group of locations (A), said module means connected to control equipment at each of said location (col 10, lines 15-65);

a second module means connected to said digital serial communication connection at a second location (B), and having a radio communication interface (Fig. 1; col 6, lines 10-20; col 7, lines 40-60); and

portable radio communication means for linking each location of said group of location (A) to said second module at location (13), whereby messages from said first module means relates to the connection of said equipment are sent via said digital serial communication connection to said second module means, and transferred via said radio link to one of said locations (A) ((col 9, lines 1-30; col 9, line 60-col 10, line 10).

Art Unit: 2135

Referring to Claim 43:

Spaur discloses a testing device which permits testing of at a first plurality of locations of a CAN system comprising:

a module at each of said plurality of locations for operating connected equipment (col 10, lines 15-35);

a portable control panel connected to a radio communication terminal which can be positioned at each of said location for receiving information related to the functioning of said equipment (col 6, lines 1-25);

and a second module at a second location, said second module receiving via said CAN-system messages relating to the operation of said connected equipment (col 9, lines 1-30), said second module including a radio communication terminal for forwarding messages received from said plurality of first modules to said control panel whereby the information relating to operation of said equipment may be monitored at each of said first plurality of locations (Fig 1; col 4, lines 5-25; col 10, lines 35-65).

Referring to Claim 44:

Spaur discloses a testing device for verifying operations of a CAN-system comprising a plurality of modules interconnected on a serial digital communication connection where at least one of said modules at a first location has equipment connected thereto, comprising:

a control panel which can be moved from module to module, said control panel having a radio terminal for receiving and transmitting information (col 4, lines 40-50; col 10, lines 1-15);
and

a second module connected to said digital communication connection at a second location (col 10, lines 15-65), said second module having a radio terminal for receiving commands from said control panel and transferring information received from said serial digital communication connection to said control panel (col 6, lines 5-25), whereby commands may be issued to said equipment from said control panel, and information generated by said equipment may be monitored by said control panel (col 9, lines 1-30).

Referring to Claim 29:

Spaur discloses the limitation of Claim 41 above. Spaur further discloses wherein the CAN-system produces a first signal between the first modules to perform the particular process of the control system, and a first activation of the portable control unit at the first location gives rise to activation of circuits in the second module, generating the signal activation in the second module to produce said first signal (col 10, lines 35-63; col 12, lines 15-65).

Referring to Claim 30:

Spaur discloses the limitation of Claim 29 above. Spaur further discloses wherein the signal activation initiates a message in the second module for transmission over the digital serial communication connection to the first modules (Fig 3; col 12, line 40-col 13, lines 30).

Referring to Claim 31:

Spaur discloses the limitation of Claim 41 above. Spaur further discloses wherein the second module transmits a message over said serial communication connection according to a

Art Unit: 2135

predetermined order of priority in the ordinary exchange of messages between the first modules (col 13, lines 35-55).

Referring to Claim 32:

Spaur discloses the limitation of Claim 31 above. Spaur further discloses wherein the second module causes an interruption in the ordinary exchange of messages or signals within the CAN-system, and the signal activation in the second module controls generation and dispatch of one or more test messages via a communication circuit to the first modules (col 13, lines 35-55).

Referring to Claim 33:

Spaur discloses the limitation of Claim 31 above. Spaur further discloses wherein the second module, when a signal is activated imitates a control or supervisory function, which normally occurs in the CAN system (col 8, lines 10-25) and generates a supervisory control operation for a testing or fault-searching function (col 9, lines 1-30).

Referring to Claim 34:

Spaur discloses the limitation of Claim 41 above. Spaur further discloses wherein the radio communication means operates with two-way connections such that a stimulation of a controlled or supervised component at a first module produces a feedback from the first module via the digital serial connection to the second module (col 9, lines 1-30), whereby an information signal representing the stimulation is generated and transferred via the radio communication means to the portable control unit at the first module location (col 6, lines 10-20).

Art Unit: 2135

Referring to Claim 35:

Spaur discloses the limitation of Claim 41 above. Spaur further discloses, wherein the operation of equipment connected to said first modules are observable (col 9, lines 1-30).

Referring to Claim 36:

Spaur discloses the limitation of Claim 41 above. Spaur further discloses wherein the radio communication means operates at frequencies of 2.4 GHz or higher (col 7, lines 60-65).

Referring to Claim 37:

Spaur discloses the limitation of Claim 41 above. Spaur further discloses wherein the radio communication means part at the first module location is connected to a control or supervisory equipment part served by the first module (Fig. 1; col 6, lines 15-30; col 10, lines 15-65).

Referring to Claim 39:

Spaur discloses the limitation of Claim 34 above. Spaur further discloses wherein the information in said messages makes it possible for a user to evaluate said control of said equipment (col 9, lines 1-30).

Referring to Claim 40:

Spaur discloses the limitation of Claim 39 above. Spaur further discloses wherein the control induces a signal emission via a fixed connection established between the first module

Art Unit: 2135

means and an information supplying unit at one of said locations A (col 12, lines 35-65), and in that the information and signal-emission can be compared at the information-supplying unit in order to discover any defectiveness in the communication path via the serial communication, the second module and the radio communication channel (col 13, lines 35-55).

Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5479479 issued to Braitberg, Michael F. et al. Braitberg discloses a cellular telephone is interconnected to a control unit via a cable. The cable contains both appropriate interdisciplinary connections for attachment to the telephone at one end and to the control unit at the other end via a universal connector. At least one contact of the universal connector is capable of producing a signal coded to identify the type of cellular telephone attached to the connector at the other end. A decoder at the control unit identifies the type of phone as by table look-up and establishes appropriate interfacing operational functions at its universal connector to properly operate with the telephone. Accordingly, the control unit can function with any of a wide variety of cellular telephones having differently configured cable connections and cable connector disciplines of contact assignments. In addition, the control unit may include circuitry for controlling a number of peripheral devices, which are operable to send and receive digital data through the cellular phone unit to and from remote devices via radio frequency signals.

Art Unit: 2135

Final Rejection

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

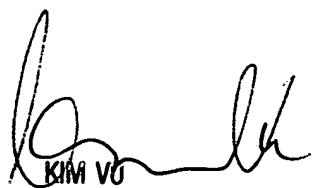
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is (703) 305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monplaisir Hamilton


KIM YU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100